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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,202	09/09/2003	Tadashi Ezaki	242434US6	9116
22850 7590 04/06/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER BESROUR, SAOUSSEN	
			ART UNIT	PAPER NUMBER
			2131	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		04/06/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary

Application No.

10/657,202

Applicant(s)

EZAKI, TADASHI

Examiner

Saoussen Besrour

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the communication filed 9/9/2003.
2. Claims 1-17 were received for consideration.
3. No preliminary amendments for the claims were filed. Currently claims 1-17 are under consideration.

Priority

4. Acknowledgment is made of applicant's claim for foreign priority under U.S.C. 119(a)-(d).

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. **Claim 16** is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, as they do not fall under any of the statutory classes of inventions. The language in the claims raise an issue because the claims are directed merely to an abstract idea that is not tied to an article of manufacture which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17** are rejected under 35 U.S.C. 102(b) as being anticipated by Numao (US 6,377,688).

As per **claim 1**, Numao discloses: wherein the recipient's terminal apparatus obtains a public key of the delivery agency via a specified medium, uses the public key to encrypt recipient information containing at least recipient's private information needed for delivery of items and to generate recipient's encryption information, and transmits the recipient's encryption information to the sender's terminal apparatus (Column 4, Lines 9-12); wherein the sender's terminal apparatus outputs the transmitted recipient's encryption information in order to be attached to a delivery item entrusted to the delivery agency (Column 4, Lines 13-22); and wherein the delivery agency's cryptogram reader decrypts the output recipient's encryption information using the delivery agency's secret key so that the delivery agency obtains the recipient information (Column 4, Lines 13-24).

As per **claim 9**, Numao discloses: a means for obtaining a secret key from a server apparatus in order to decrypt recipient's encryption information encrypted and generated from at least recipient information needed for delivery of delivery items by means of an encryption program using a public key of the delivery agency (Column 4, Lines 60-61); a means for reading the recipient's encryption information and decrypting

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it using the secret key (Column 4, Lines 60-61); and a means for outputting the decrypted recipient's encryption information as human-readable recipient information (Column 4, Lines 65-66).

As per **claim 11**, Numao discloses: a step wherein the recipient's terminal apparatus obtains a public key of the delivery agency via a specified medium, uses the public key to encrypt recipient information containing at least recipient's private information needed for delivery of items and to generate recipient's encryption information, and transmits the recipient's encryption information to the sender's terminal apparatus (Column 4, Lines 9-12); a step wherein the sender's terminal apparatus outputs the transmitted recipient's encryption information in order to be attached to a delivery item entrusted to the delivery agency (Column 4, Lines 13-22); and a step wherein the delivery agency's cryptogram reader decrypts the output recipient's encryption information using the delivery agency's secret key so that the delivery agency obtains the recipient information (Column 4, Lines 13-24).

As per **claims 2 and 12**, rejected as applied to claims 1 and 11. Furthermore, Numao discloses: wherein the recipient's terminal apparatus attaches information about the delivery agency's public key to the recipient's encryption information and transmits it to the sender's terminal apparatus (Column 4, Lines 9-12).

As per **claims 3 and 13**, rejected as applied to claims 1 and 12. Furthermore, Numao discloses: wherein the sender's terminal apparatus obtains a public key of the delivery agency via a specified medium, uses the public key to encrypt sender information about a sender to generate sender's encryption information, and outputs the

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sender's encryption information to be attached to a delivery item entrusted to the delivery agency (Column 4, Lines 9-12); and wherein the delivery agency's cryptogram reader decrypts the output sender's encryption information using the delivery agency's secret key so that the delivery agency obtains the sender information (Column 4, Lines 13-24). Inherent, because mechanism is disclosed for the recipient, thus sender can be the recipient and recipient can be the sender since the server's public keys are open to both.

As per **claims 4 and 14**, rejected as applied to claims 1 and 11. Furthermore, Numao discloses: wherein the recipient's encryption information contains at least coded information (Column 5, Line 46).

As per **claims 5 and 15**, rejected as applied to claims 1 and 11. Furthermore, Numao discloses: wherein an output of the recipient's encryption information contains at least a name identifying the recipient (Column 5, Lines 46).

As per **claim 10**, rejected as applied to claim 9. Furthermore, Numao discloses: wherein the cryptogram reader can decrypt sender's encryption information as sender's private information encrypted by the encryption program using the public key (Column 4, Lines 60-61); and wherein the cryptogram reader can output the encrypted sender's encryption information as human-readable sender information (Column 4, Lines 60-61).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 6, 7, 8, 16 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Numao (US 6,377,688) in view of Maruyama (20020144118).

As per **claim 6**, Numao discloses: a public key management means for managing a public key to execute an encryption program which encrypts recipient information containing at least recipient's private information needed for delivery of delivery items (Column 4, Lines 58); a public key transmission means for transmitting the public key to the recipient's terminal apparatus [in response to a request from the recipient's terminal apparatus] (Fig. 2, Public keys P, N transmitted to sender and receiver); a secret key management means for managing a secret key to decrypt recipient's encryption information encrypted and generated by the encryption program using the public key from recipient information containing at least recipient's private information needed for delivery of delivery items (Column 4, Lines 60-61); and a secret key provision means for providing the secret key to a cryptogram reader which decrypts the recipient's encryption information (Column 4, Lines 60-61). Numao does not explicitly teach transmitting a public key in response to a request from the recipient terminal. However, Maruyama discloses: transmitting a public key in response to a

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request from the recipient terminal (0051). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the teachings of Maruyama in conjunction with the teachings of Numao for the benefit of providing the public keys directly to a partner server instead of installing the public key server to hold and publicize the public keys (0051).

As per **claim 16**, Numao discloses: a public key management means for managing a public key to execute an encryption program which encrypts recipient information containing at least recipient's private information needed for delivery of delivery items (Column 4, Lines 58); a public key transmission means for transmitting the public key to the recipient's terminal apparatus [in response to a request from the recipient's terminal apparatus] (Fig. 2, Public keys P, N transmitted to sender and receiver); a secret key management means for managing a secret key to decrypt recipient's encryption information encrypted and generated by the encryption program using the public key from recipient information containing at least recipient's private information needed for delivery of delivery items (Column 4, Lines 60-61); and a secret key provision means for providing the secret key to a cryptogram reader which decrypts the recipient's encryption information (Column 4, Lines 60-61). Numao does not explicitly teach transmitting a public key in response to a request from the recipient terminal. However, Maruyama discloses: transmitting a public key in response to a request from the recipient terminal (0051). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the teachings of Maruyama in conjunction with the teachings of Numao for the benefit of providing the

public keys directly to a partner server instead of installing the public key server to hold and publicize the public keys (0051).

As per **claim 17**, Numao discloses: a public key management means for managing a public key to execute an encryption program which encrypts recipient information containing at least recipient's private information needed for delivery of delivery items (Column 4, Lines 58); a public key transmission means for transmitting the public key to the recipient's terminal apparatus [in response to a request from the recipient's terminal apparatus] (Fig. 2, Public keys P, N transmitted to sender and receiver); a secret key management means for managing a secret key to decrypt recipient's encryption information encrypted and generated by the encryption program using the public key from recipient information containing at least recipient's private information needed for delivery of delivery items (Column 4, Lines 60-61); and a secret key provision means for providing the secret key to a cryptogram reader which decrypts the recipient's encryption information (Column 4, Lines 60-61). Numao does not explicitly teach transmitting a public key in response to a request from the recipient terminal. However, Maruyama discloses: transmitting a public key in response to a request from the recipient terminal (0051). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the teachings of Maruyama in conjunction with the teachings of Numao for the benefit of providing the public keys directly to a partner server instead of installing the public key server to hold and publicize the public keys (0051).

As per **claim 7**, rejected as applied to claim 6. Furthermore, the combined references Numao and Maruyama substantially teach wherein the public key transmission means can transmit the public key to the sender's terminal apparatus in response to a request from the sender's terminal apparatus (Maruyama-0051) ; wherein the encryption program can use the public key to encrypt sender information about the sender and generate sender's encryption information (Numao-Column 4, Lines 58); and wherein the secret key can decrypt the sender's encryption information (Numao-Column 4, Lines 60-61).

As per **claim 7**, rejected as applied to claim 6. Furthermore, the combined references Numao and Maruyama substantially teach wherein an output of the recipient's encryption information contains at least a name identifying the recipient (Column 5, Lines 46).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Andivahis et al. (20030147536)
Di Crescenzo et al. (6,813,358)

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saoussen Besrour whose telephone number is 571-272-6547. The examiner can normally be reached on M-F 8:30am to 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SB
March 29, 2007


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